

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

DON'S FRYE, on behalf of herself)
and all others similarly situated,)
)
Plaintiffs)
)
vs.)
)
L'OREAL SA, FRANCE, a French)
Corporation and L'OREAL USA,)
INC., a New York Corporation)
)
Defendants.)

)
)
)
)
)

DECLARATION

I, DON'S FRYE, declare:

I am a plaintiff in the above action. I purchased the Christian Dior Addict Positive Red about two years ago, as best as I recall from the Walgreen's drug store in Louisville, and don't recall the exact price. My best recollection is that it was close to \$10.00 and not near \$20.00.

I did not see anything that reflected any content for lead let alone the amount described in the Report "A Poison Kiss: The Problem of Lead in Lipstick". Had I known of the lead content contained in the lipstick I would not have purchased it.

I am conscious of public information about the build-up of lead content in the body rather than being excreted. I don't know the quantity necessary. I would be particularly careful to avoid lead because of public information about the accumulation of lead in the body. That can be avoided more if a disclosure were made. I understand there are other available products with much less or no lead at all in them.

I declare under penalty of perjury that this Declaration was executed by me on
August 5, 2008 and that the foregoing is true and correct to the best of my knowledge,
information and reflection.


DON S FRYE